

121



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Patent application of:

Van Hoeck et al.

Serial No. 10/775,546

Filed February 10, 2004

INTERVERTEBRAL SPACER

) Before the Examiner

)

) Not yet known

)

) Group Art Unit

)

) 3738

)

)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
 Commissioner for Patents
 PO Box 1450
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Dear Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicants wish to bring to the attention of the Examiner the items of information listed on the enclosed Information Disclosure Citation forms. Copies of the items listed in these IDS forms are not being provided herewith pursuant to 37 C.F.R. §1.98(d) since they were previously submitted and considered in prior **Patent Application Serial No. 10/201,549** filed on July 23, 2002, which is being relied upon for an earlier effective filing date under 35 USC §120.

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August 3, 2004

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James B. Myers, Jr.

Name of Registered Representative

James B. Myers Jr.

Signature

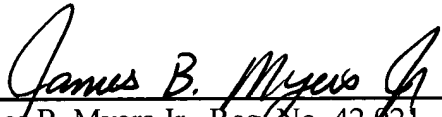
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The filing of this Information Disclosure Statement (IDS) shall not be construed as an admission that the information cited is or is considered to be prior art or material to patentability as defined in § 1.56(b).

This Statement is being submitted under 37 CFR 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date entry of the national stage. Accordingly, it is believed that no fee is due. However, should any fee be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By: 
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(Use several sheets if necessary)

21:29:4002-441

08/603,676

James E. Van Hoesck, et al.

February 20, 1996

GROUP

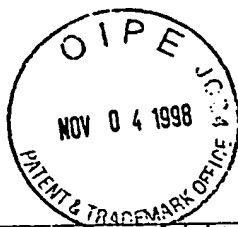
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Dan Fochelle

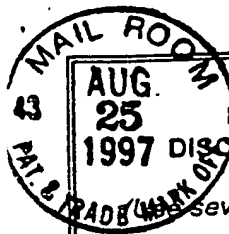
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DNK-1995-013-PA:Heather:25033



INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Atty. Docket No. 4002-441		Serial No. CPA of USSN 08/603,676	
Sheet 1 of 1				Applicant James Van Hoeck, et al.		Filing Date February 20, 1996	
				Group			
U.S. PATENT DOCUMENTS							
*Examiner Initial	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate	
D1	5,514,180	5/7/96	Heggeness, et al.	623/17			
	5,609,635	3/11/97	Michelson	623/17			
	5,645,596	7/8/97	Phyo, et al.	623/17			
	5,397,364	3/14/95	Kozak, et al.	623/17			
	4,620,327	11/4/86	Caplan, et al.	632/10			
	4,623,553	11/18/86	Ries, et al.	427/2			
	5,147,402	9/15/92	Bohler, et al.	623/16			
	5,282,861	2/1/94	Kaplan	623/16			
D1	5,306,309	4/26/94	Wagner, et al.	623/17			
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation Yes No	
D1	0 599 419 A2	06/01/94	Europe			X	
	2 710 319	9/29/93	France				
D1	WO 95/31947	11/30/98	PCT			X	
	WO 94/26893	11/24/94	PCT			X	
D1	WO 95/31947	11/30/95	PCT			X	
Examiner D1 [Signature]				Date Considered 3/6/02			
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY. DOCKET No. 4002-441/95:13	SERIAL NO. 08/603,676
APPLICANT James Van Hoeck		
FILING DATE February 20, 1996		GROUP ART UNIT 3308

U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
DI	3,848,601	11/19/74	Ma et al.	128	305	
	4,309,777	01/12/82	Patil	3	1,91	
	4,349,921	09/21/82	Kuntz	128	92	
	4,501,269	02/26/85	Bagby	128	92	
	4,526,909	07/02/85	Urist	523	115	
	4,596,574	06/24/86	Urist	623	16	
	4,599,086	07/08/86	Doty	623	17	
	4,714,469	12/22/87	Kenna	623	17	
	4,743,256	05/10/88	Brantigan	623	17	
	4,759,766	07/26/88	Buettner-Janx et al.	623	17	
DI	4,772,287	09/20/88	Ray et al	623	17	

FOREIGN PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						Yes	No
DI	0 179 695	Q4/30/86	Europe				
	WO 90/00037	01/11/90	PCT				
DI	WO 92/14423	09/03/92	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

DI		The Anterior Approach for Removal of Ruptured Cervical Disks, Ralph B. Cloward, M.D., Honolulu Kawaii, Presented at the meeting of the Harvey Cushing Society, Wasington, D.C. 4/22/58
DI		The Treatment of Certain Cervical-Spine Disorders by Anterior Removal of the Intervertebral Disc and Interbody Fusion, George W. Smith, M.D. Robert A. Robinson, M.D., The Journal of Bone and Joint Surgery Vol. 40-A, No. 3, June 1958.

EXAMINER David J. Isabella Primary Examiner	DATE CONSIDERED 5/98
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JMB No. 0651-0011(12/31/86)
Sheet 1 of

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	ATTY. DOCKET No. 4002-441/95:13	SERIAL NO. 08/603,676
	APPLICANT James Van Hoeck	
	FILING DATE February 20, 1996	GROUP ART UNIT 3308

U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
DI	5,645,596	07/08/97	Kim et al.			


FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

DI		Product Literature: CAGE CR "Cervical-Spaing Cages" Scient'x, 10 et 7, Rue Duvivier - 75007, Paris
DI		Product Literature: CAGE CH "Lumbar Spacing Cages", Scient'x 10 et 7, Rue Duvivier - 75007, Paris
EXAMINER David J. Isabella Primary Examiner		
DATE CONSIDERED 5/98		

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	APPLICANT James Van Hoeck	
	FILING DATE Febr. 20, 1996	GROUP ART UNIT 3308

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

01		Proceedings, 10th Annual Conf. North American Spine Society, Oct. 18-21, 1995, Washington, D.C., pages 10-11.
121		American Academy of Orthopaedic Surgeons 1996 Annual Meeting - Scientific Papers, discussion of papers 73, 74, and 75. Mark D. Brown, M.D., Miami Florida
51		
01		Replacement of the Lumbar Vertebrae of Sheep w/ Ceramic Prosthesis Takao Yamamoto, The Jour. of Bone & Joint surgery, Vol. 72-B, No 5, Sept. 1990

EXAMINER

David J. Isabella
Primary Examiner

DATE CONSIDERED

5	98
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1997 DISCLOSURE CITATION

(Use several sheets if necessary)

4002-441/95:13

08/603.676

James Van lioeck

GROUP ART UNIT

3303

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

DI		Healing Segmental Femoral Defects in Sheep Using Recombinant Human Bone Morphogenetic Protein, Tobin M. Gernhart, M.D., et al., Clinical Orthopaedics and Related Research, Number 293, pages 317-326.
DI		Preliminary Program from Forty-Second Annual Meeting of the Orthopaedic Research Society, Hyatt Regency, Atlanta, Georgia February 18-22, 1996.

~~David J. Isabella~~
Primary Examiner

5/58

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